

SENATE BILL 1950

By Kyle

AN ACT to amend Tennessee Code Annotated, Title 4,
Chapter 55, relative to driver license and
certificate for driving issuance.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. . Tennessee Code Annotated, Section 55-50-102(6), is amended by deleting the subsection in its entirety and renumbering the remaining subsections accordingly.

SECTION 2. Tennessee Code Annotated, Section 55-50-102, is amended by adding the following as a new subsection (50) and renumbering existing subsection (50) and the remaining subsections accordingly:

(50) "Temporary Driver License" means a license issued by the department to an individual which authorizes the individual to operate a motor vehicle on the highways for the individual's authorized period of stay in the United States or, if there is no definite end to the period of authorized stay, a period of one (1) year.

SECTION 3. Tennessee Code Annotated, Section 55-50-202(a), is amended by adding the following language at the end of the subsection:

The commissioner is authorized to adopt the rules and regulations, exemptions and policies promulgated by the United States Secretary of Homeland Security. The department is also authorized to utilize any verification process to comply with any rules and regulations, exemptions and policies promulgated by the United States Secretary of Homeland Security.

SECTION 4. Tennessee Code Annotated, Section 55-50-204, is amended by adding the following language as a new subsection (e):

(e) This section is also applicable when the department issues a photo

identification license, intermediate driver license, learner permit, temporary driver license, temporary learner permit, temporary intermediate driver license, or temporary photo identification license.

SECTION 5. Tennessee Code Annotated, Section 55-50-301, is amended by designating the existing language as subsection (a) and adding the following language as a new subsection (b):

(b) This section is applicable to the issuance of temporary driver licenses and permits.

SECTION 6. Tennessee Code Annotated, Section 55-50-302(a) is amended by adding the following language as a new subsection (g):

(g) This section is applicable to the issuance of temporary driver licenses and permits.

SECTION 7. Tennessee Code Annotated, Section 55-50-302(d) is amended by deleting the subsection in its entirety and renumbering the remaining subsections accordingly.

SECTION 8. Tennessee Code Annotated, Section 55-50-303 is amended by adding the following language as a new subsection:

() Notwithstanding the provisions of this section, the department may issue a temporary license, pursuant to the provisions of Section 55-50-331(g) and any other departmental rules and regulations promulgated by the department.

SECTION 9. Tennessee Code Annotated, Section 55-50-321 is amended by adding the following language as a new subsection (h):

(h) Any applicant applying for a temporary driver license, temporary learner permit, temporary intermediate driver license or temporary photo identification license, upon initial issuance, renewal and reinstatement, shall provide proof acceptable to the department relative to the applicant's identity, Tennessee residency, and authorized

period of stay in the United States.

SECTION 10. Tennessee Code Annotated, Section 55-50-321(a), is amended by adding the following language at the end of the subsection:

The application shall also be accompanied by proof of Tennessee residency acceptable to the department.

SECTION 11. Tennessee Code Annotated, Section 55-50-322(a)(1)(A), is amended by deleting the first sentence in its entirety and substituting instead the following:

The department shall examine every applicant for a driver license, intermediate driver license, learner permit, temporary driver license, temporary learner permit, and temporary intermediate driver license, except as otherwise provided in this part.

SECTION 12. Tennessee Code Annotated, Section 55-50-322(e), is amended by inserting the words “an eye test”, between the words “required to take” and “knowledge and”

SECTION 13. Tennessee Code Annotated, Section 55-50-322(f), is amended by inserting the language “non public schools in categories 1, 2, or 3 as recognized by the state Board of Education,” between the words “vehicles by a” and “public school”.

SECTION 14. Tennessee Code Annotated, Section 55-50-323(c)(2)(J)(i) is amended by adding the following as a new second sentence:

The fee charged for a photo identification license or renewal thereof issued pursuant to Section 55-50-331(g) shall be the same as the fee charged for a five (5) year photo identification license pursuant to this subsection.

SECTION 15. Tennessee Code Annotated, Section 55-50-323(e) is amended by deleting the words “a certificate for driving” and substituting instead the words “any temporary driver license”.

SECTION 16. Tennessee Code Annotated, Section 55-50-331(g), is amended by

deleting the subsection in its entirety and substituting instead the following:

Notwithstanding any other provision of law to the contrary, the department may issue a temporary driver license, temporary intermediate driver license, temporary photo identification license or a temporary learner permit to persons whose presence in the United States has been authorized by the Federal Government for a specific purpose and for a specified period of authorized stay. Such temporary driver license or photo identification license shall be valid only during the period of time of the applicant's authorized stay in the United States; provided, however, that no temporary license or photo identification license shall be issued for a period of less than one (1) year and no longer than five (5) years.

SECTION 17. Tennessee Code Annotated, Section 55-50-331(h) is amended by deleting the subsection in its entirety and renumbering the remaining subsections accordingly.

SECTION 18. Tennessee Code Annotated, Section 55-50-331(i), is amended by deleting the subsection in its entirety and substituting instead the following:

Any applicant applying for a temporary driver license, temporary intermediate driver license, temporary photo identification license, or a temporary learner permit, upon initial issuance, renewal or reinstatement, shall meet the requirements of this chapter and any rules and regulations promulgated by the department.

SECTION 19. Tennessee Code Annotated, Section 55-50-332(b), is amended by deleting the subsection in its entirety and substituting instead the following:

(b) Duplicate licenses obtained during the normal five (5) year cycle shall expire on the licensee's birth date in the fifth year following the initial issuance, excluding Class P licenses which shall expire one (1) year from the date of issuance.

SECTION 20. Tennessee Code Annotated, Section 55-50-332(c) is amended by deleting the subsection in its entirety and substituting instead the following:

Duplicate temporary licenses obtained in place of such temporary licenses, issued pursuant to Section 55-50-331(g) shall be valid during the period of time specified in such subsection.

SECTION 21. Tennessee Code Annotated, Section 55-50-336, is amended by adding the following language as new appropriately designated subsections:

() The department is authorized to issue a temporary photo identification license which shall be valid only during the period of time of the applicant's authorized stay in the United States; or, if there is no definite end to the period of authorized stay, a period of one (1) year.

() An applicant for such temporary photo identification license shall submit an application that includes proof of the applicant's identity, Tennessee residency, and authorized stay in the United States.

SECTION 22. Tennessee Code Annotated, Section 55-50-337, is amended by deleting subsection (c) in its entirety and substituting instead the following:

Notwithstanding any other provisions of law to the contrary, temporary licenses issued pursuant to § 55-50-331(g) shall be valid during the period of time specified in such subsection.

SECTION 23. Tennessee Code Annotated, Section 55-50-337, is amended by deleting subsection (d) in its entirety and substituting instead the following language:

Any person issued a license or permit prior to July 1, 2004 who is subject to the provisions of § 55-50-331(g) shall, upon renewal or reapplication, receive, if otherwise eligible, a temporary license which shall expire in accordance with such subsection.

SECTION 24. For purposes of the department promulgating public necessity rules and regulations to implement the provisions of this act, this act shall take effect upon becoming law, the public welfare requiring it. Section 17 of this act shall take effect upon becoming law, the public welfare requiring it. For all other purposes, this act shall take effect on October 1, 2007, the public welfare requiring it.